

The Honorable Benjamin H. Settle
Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

SEPTEMBER 16, 2015
WILLIAM M. McCOOL, Clerk
By [Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRYL LEE WRIGHT, and
KAREN M. BEVENS (aka KAREN M.
WRIGHT),

Defendants.

NO. CR14-5539BHS

SUPERSEDING INDICTMENT

The Grand Jury charges that:

INTRODUCTION

At all times material to this Indictment:

1. Defendant DARYL LEE WRIGHT was a resident of Snoqualmie, Washington.
2. Defendant KAREN M BEVENS (aka KAREN M. WRIGHT) was a resident of Duvall, Washington, and the sister of Defendant DARRYL LEE WRIGHT.
3. The Social Security Act and related laws established a number of programs which had the basic objective of providing for the needs of individuals and their families. These programs included the Disability Insurance Benefits Program, which was administered by the Social Security Administration. The purpose of the Disability Insurance Benefits Program was to replace part of the earnings lost because of an actual

1 physical or mental impairment, as defined by federal law. Monthly benefits were paid to
2 eligible disabled persons and to eligible beneficiaries throughout the period of disability.
3 In determining an applicant's eligibility for disability insurance benefits, the Social
4 Security Administration relied on information provided by the applicants themselves, or
5 persons acting on the applicant's behalf concerning, among other things, their medical
6 condition and their level and extent of work activity.

7 4. The United States Army was a branch of the Department of Defense that
8 existed to serve the American people, to defend the Nation, to protect vital national
9 interests, and to fulfill national military responsibilities. Their mission was to provide
10 necessary forces and capabilities to the combatant commanders in support of the National
11 Security and Defense Strategies. The Army recruited, organized, trained, and equipped
12 soldiers who, as vital members of their units and the Joint Team, conducted prompt,
13 sustained combat and stability operations on land. The Army was also charged with
14 providing logistics and support to enable the other Services to accomplish their missions,
15 and supporting civil authorities in time of emergency, when directed.

16 5. The National Guard of the United States was a reserve component of the
17 United States Armed Forces, composed of National Guard military members or units of
18 each state and the territories of Guam, the Virgin Islands, and of Puerto Rico, as well as
19 the District of Columbia. The Washington State National Guard was a division of the
20 State of Washington Military Department, affiliated with the Department of Defense
21 through the National Guard Bureau, which was a joint activity of the Army and Air
22 Force, under the Department of Defense.

23 6. The United States Department of Veterans Affairs (VA) was a Department
24 of the United States that operated the nation's largest integrated health care system with
25 more than 1,400 sites of care, including hospitals, community clinics, community living
26 centers, domiciliary, readjustment counseling centers, and various other facilities. Any
27 person who served in the active military, naval, or air service and who was discharged or
28 released under conditions other than dishonorable may have qualified for benefits.

1 Reservists and National Guard members may also have qualified for VA benefits if called
2 to active duty (other than for training) by a Federal order and completed the full period
3 for which they were called, or ordered to active duty.

4 7. One benefit program administered by the VA was called the Caregiver
5 Support Program. Under the "Caregivers and Veterans Omnibus Health Services Act of
6 2010," additional VA services were available to seriously injured post-9/11 veterans and
7 their family caregivers. Veterans were eligible for this program if they (1) sustained
8 (incurred or aggravated) a serious injury - including traumatic brain injury, psychological
9 trauma or other mental disorder - in the line of duty, on or after September 11, 2001, and
10 (2) were in need of personal care services because they could not perform one or more
11 activities of daily living, and/or because they needed supervision or protection based on
12 symptoms or residuals of neurological impairment or injury. Additional assistance was
13 available to primary family caregivers of eligible post-9/11 veterans and service
14 members. Services and benefits available to qualified caregivers included monthly
15 stipend travel expenses (including lodging and per diem while accompanying veterans
16 undergoing care); access to health care insurance (if the caregiver was not otherwise
17 entitled to care or services under a health care plan); mental health services and
18 counseling; and comprehensive VA caregiver training provided by Easter Seals Respite
19 care.

20 8. The United States Department of Commerce was a Department of the
21 United States that promoted job creation, economic growth, sustainable development and
22 improved standards of living for all Americans by working in partnership with
23 businesses, universities, communities and our nation's workers. The United States
24 Department of Commerce's Economic Development Administration (EDA) functioned to
25 support regional economic development efforts in communities across the nation. EDA
26 supported development in economically distressed areas of the United States through
27 strategic investments intended to foster job creation and attract private investment. The
28

1 EDA Office in the Western District of Washington was located in Pierce County,
2 Washington.

3 9. The United States Office of Personnel Management (OPM) was an agency
4 of the United States that, among other things, managed pension benefits for retired and
5 disabled federal employees and their families. The OPM also administered health and
6 other insurance programs for federal employees and retirees.

7 10. The Washington State Employment Security Department was an agency of
8 the State of Washington. One function of the Washington State Employment Security
9 Department was to administer the unemployment insurance trust fund. The
10 unemployment program pays benefits to those unemployed through no fault of their own.
11 Unemployment benefits are calculated based on earnings. To be eligible for benefits, a
12 person must have worked at least 680 hours during his or her base year and must have
13 lost a job through no fault of his or her own. To remain eligible each week, the claimant
14 must have been physically able to work, available for work and actively seeking suitable
15 work. Claimants were required to verify that they were meeting these requirements by
16 filing a claim each week.

17 11. The Washington State Department of Social and Health Services, or DSHS,
18 was Washington State's social services department. The agency was headquartered in
19 Olympia, Washington. DSHS assisted children, families, vulnerable adults and seniors
20 by providing protection, comfort, food assistance, financial aid, medical and behavioral
21 health care and other services.

22 **COUNTS ONE through FIVE**
23 **(Wire Fraud)**

24 **A. The Scheme to Defraud**

25 12. From on or about January 2005, up to and including the present, in the
26 Western District of Washington, and elsewhere, Defendants DARRYL LEE WRIGHT
27 and KAREN M. BEVENS (aka KAREN M. WRIGHT), did knowingly devise and intend
28 to devise a scheme and artifice to defraud the United States Department of Veterans

1 Affairs, the Social Security Administration, and the Washington Department of
2 Employment Security, and to obtain money and property from the United States
3 Department of Veterans Affairs, the Social Security Administration, and the Washington
4 State Employment Security Department by means of materially false and fraudulent
5 pretenses, representations and promises, and concealment of material facts.

6 13. The essence of the scheme to defraud was for DARRYL LEE WRIGHT to
7 obtain program benefits, to include cash payments and services, for which he would not
8 have otherwise been eligible, had he provided true and accurate representations regarding
9 his physical condition and capabilities.

10 **B. Manner and Means of the Scheme to Defraud**

11 14. It was part of the scheme to defraud that DARRYL LEE WRIGHT
12 misrepresented a series of events he encountered while serving with the Idaho National
13 Guard in Iraq, falsely and fraudulently stating he received "traumatic brain injury," after
14 being "violently thrown" and "knocked unconscious" following a rocket attack, even
15 though he had earlier acknowledged, in other documents, "there was no damage to
16 property and no casualties."

17 15. It was further part of the scheme that DARRYL LEE WRIGHT made
18 numerous misrepresentations to Army officials concerning the Iraq rocket attack incident
19 in an effort to persuade those officials to reclassify the attack and thereby meet the
20 necessary requirements to receive a "Combat Action Badge." (A Combat Action Badge
21 is awarded to soldiers who are personally present and actively engaging or being engaged
22 by the enemy, and performing satisfactorily in accordance with the prescribed rules of
23 engagement.)

24 16. It was further part of the scheme that DARRYL LEE WRIGHT, having
25 successfully convinced Army officials to award a Combat Action Badge, made additional
26 misrepresentations regarding the Iraq rocket attack incident and alleged injuries he
27 incurred in an effort to persuade those officials to award him a "Purple Heart."
28

1 17. It was further part of the scheme that DARRYL LEE WRIGHT made false
2 and fraudulent representations, created false documents, used the identity information of
3 others to create false documents, and concealed material facts regarding the scope and
4 severity of the injuries he allegedly incurred following the Iraq rocket attack incident,
5 together with the consequences of those alleged injuries, in documentation seeking
6 benefits and accommodations from multiple government agencies, including the Social
7 Security Administration, the Veteran's Administration, the Department of Commerce, the
8 Office of Personnel Management, the Washington State Employment Security
9 Department, the Washington Department of Social and Health Services, and the
10 Department of Army.

11 18. It was further part of the scheme that on or about February 8, 2010,
12 DARRYL LEE WRIGHT applied for disability payments from the Social Security
13 Administration.

14 19. It was further part of the scheme that on or about April 5, 2010, DARRYL
15 LEE WRIGHT submitted supplemental application materials to the Social Security
16 Administration seeking disability payments, in which he represented that he was so
17 severely disabled by PTSD symptoms that he spent two-to-five days a week in bed, in a
18 fetal position; he had a caregiver, a housecleaner, and yard worker; he could not prepare
19 his own meals; he could not take public transportation or be in crowds; he could walk
20 only fifty meters; and his attention span was only five-to-ten seconds.

21 20. It was further part of the scheme that between April and June 2012,
22 DARRYL LEE WRIGHT submitted multiple false and fraudulent invoices and
23 statements to the Social Security Administration, including a false disability statement
24 from KAREN M. WRIGHT, purporting to substantiate his claim to having hired a
25 personal caretaker, notably Karen Bevins or Bevins' Care, for caretaking services seven
26 days a week from February 2009 through June 2012.

27 21. It was further part of the scheme that on or about October 14, 2012,
28 DARRYL LEE WRIGHT submitted an application to the Social Security Administration

1 in support of his continued receipt of disability payments, falsely reporting his sister
2 resided with him; he used a cane; and he was frightened of traffic and people.

3 22. It was further part of the scheme that on or about November 29, 2012,
4 DARRYL LEE WRIGHT submitted an application to the Social Security Administration
5 in support of his continued receipt of disability payments, falsely reporting that KAREN
6 BEVENS (aka KAREN M. WRIGHT) was his "In Home Care Attendant" spending over
7 40 hours per week caring for him; he was unable to function without BEVENS' or
8 someone else's assistance; he could not tie or fasten shoes/belts/buttons; he could not
9 prepare meals; he rarely drove; he could walk only 20 yards; he could not pay attention;
10 and he could not follow spoken instructions.

11 23. It was further part of the scheme that on or about December 1, 2012,
12 DARRYL LEE WRIGHT submitted an application to the Social Security Administration
13 in support of his continued receipt of disability payments; falsely stating he could not tie
14 or fasten his shoes/buttons/belt, needed help preparing meals; went outside only a "few
15 times week"; rarely drove; could walk only 50 feet; and could pay attention for only ten
16 seconds.

17 24. It was further part of the scheme that in or about October 2012, DARRYL
18 LEE WRIGHT sought and was awarded unemployment benefits from the Washington
19 State Employment Security Department.

20 25. It was further part of the scheme that DARRYL LEE WRIGHT falsely
21 certified to the Washington State Employment Security Department he was actively
22 seeking employment and applying for jobs, when, in truth and in fact, he was collecting
23 disability payments based on his claims that he could not work due to disability.

24 26. It was further part of the scheme that on or about October 2, 2012,
25 DARRYL LEE WRIGHT submitted false and fabricated "work search logs" listing
26 several dozen positions he had purportedly applied for to support his claim that he was
27 actively seeking employment.
28

1 27. It was further part of the scheme that on or about December 6, 2012,
2 DARRYL LEE WRIGHT submitted an online application to the Washington State
3 Department of Social and Health Services seeking cash payments, medical benefits, food
4 benefits, and childcare benefits, falsely stating, among other things, that he had only \$314
5 in a bank account; he was applying for food benefits for two people in his household (for
6 whom he buys and prepares food); he needed childcare coverage for his daughter; he was
7 applying for assistance for no one outside his home; and his only source of income was
8 the Social Security Administration.

9 28. It was further part of the scheme that from on or about January 1, 2012, to
10 the present, DARRYL LEE WRIGHT submitted an Application for Immediate
11 Retirement from federal service to the United States Office of Personnel Management, in
12 which he falsely stated he was unable to work because of a variety of disabilities
13 including, traumatic brain injury, post-traumatic stress disorder, depression, and anxiety,
14 together with functional impairments resulting from the disabilities to include
15 occupational and social impairment, gross impairment in thought process and
16 communication, anxiety, depression, persistent danger of hurting self or others,
17 disorientation to time or place, memory loss, and deficits in processing speed.

18 29. It was further part of the scheme that DARRYL LEE WRIGHT created,
19 forged, and fabricated documents to support his fraudulent claims for benefits and
20 accommodations.

21 30. It was further part of the scheme that DARRYL LEE WRIGHT recruited
22 others to assist him in making false and fraudulent representations and conceal material
23 facts to support and further the scheme.

24 31. It was further part of the scheme that DARRYL LEE WRIGHT falsely
25 claimed to government agencies from which he was seeking benefits and
26 accommodations that his alleged combat related injuries caused a range of physical
27 limitations to include, being "bedridden," unable to function in public, easily confused,
28 unable to tie his shoes, in need of a full-time caregiver in his home.

1 32. It was further part of the scheme that DARRYL LEE WRIGHT engaged in
2 a full range of physical and social activities and otherwise practiced a normal lifestyle
3 seemingly unencumbered by any disability or infirmity to include coaching a high school
4 basketball team, chairing the Snoqualmie City Planning Commission, serving as a board
5 member of a hospital foundation, serving as a team member of a community emergency
6 response team, running as a candidate for public office, serving as a member of the
7 Snoqualmie Rotary, playing in a recreational basketball league, and participating as a
8 "sport" member at the TPC Snoqualmie Ridge Country Club.

9 33. It was further part of the scheme that DARRYL LEE WRIGHT created,
10 fabricated, and forged military orders from the National Guard in order to fraudulently
11 obtain additional leave from his job at the Economic Development Administration.

12 34. It was further part of the scheme that DARRYL LEE WRIGHT made
13 fraudulent claims regarding the scope and severity of an alleged disability to his superiors
14 at the Economic Development Administration claiming he could not perform his duties,
15 and seeking additional leave for care, when in truth and fact he used the fraudulently
16 obtained leave to coach high school basketball.

17 35. It was further part of the scheme that KAREN M. BEVENS (aka KAREN
18 M. WRIGHT) made false and fraudulent statements to the Veteran's Administration,
19 claiming to have provided caretaker services to DARRYL LEE WRIGHT.

20 36. It was further part of the scheme that DARRYL LEE WRIGHT made false
21 and fraudulent statements to the Veteran's Administration claiming the need for, and
22 receipt of, caretaker services from KAREN M. BEVENS (aka KAREN M. WRIGHT).

23 37. It was a further part of the scheme that on or about January 2, 2012, the
24 Veteran's Administration accepted and enrolled DARRYL LEE WRIGHT into the
25 Caregiver Support Program, thereby authorizing payment of caretaker services to his
26 sister, KAREN M. BEVENS (aka KAREN M. WRIGHT).

27 38. It was further part of the scheme that DARRYL LEE WRIGHT regularly
28 claimed to have incurred combat related injuries, including post-traumatic stress disorder,

1 for purposes of concealing his ineligibility for benefits and accommodations, deceiving
2 government investigators, and forestalling enforcement efforts seeking to expose his
3 fraudulent scheme.

4 39. It was further part of the scheme that DARRYL LEE WRIGHT, when
5 confronted with denials of his claims for benefits, with his false and fraudulent
6 statements, with the apparent inconsistencies between his professed injuries and
7 associated limitations, and with his active lifestyle choices, he responded with threats,
8 litigation, manipulation, discrimination claims, and claims for failure to accommodate, all
9 undertaken in an effort to discourage anyone from challenging or exposing his scheme.

10 40. It was further part of the scheme that DARRYL LEE WRIGHT and
11 KAREN M. BEVENS (aka KAREN M. WRIGHT) fraudulently obtained hundreds of
12 thousands of dollars in government program benefits to which they would not have
13 otherwise been authorized to receive had the defrauded agencies been provided complete
14 and accurate information concerning DARRYL LEE WRIGHT's purported injuries and
15 KAREN M. BEVENS' (aka KAREN M. WRIGHTS') purported provision of caretaker
16 services.

17 41. It was further part of the scheme that DARRYL LEE WRIGHT used the
18 proceeds of his scheme to purchase homes, cars, travel, and club memberships.

19 42. It is further part of the scheme that as of May, 2013, DARRYL LEE
20 WRIGHT and KAREN M. BEVENS (aka KAREN M. WRIGHT) were collectively
21 receiving \$10,341 per month in fraudulently obtained benefits.

22 **C. Execution of the Scheme to Defraud**

23 43. Beginning on or about April 7, 2010, and continuing through to the present,
24 within the Western District of Washington, and elsewhere, DARRYL LEE WRIGHT and
25 KAREN M. BEVENS (aka KAREN M. WRIGHT), with the intent to defraud, devised
26 and willfully executed, with knowledge of its fraudulent nature, the above-described
27 scheme and artifice to defraud and obtain money by materially false and fraudulent
28 pretenses.

44. On or about the dates listed below, within the Western District of Washington, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme, DARRYL LEE WRIGHT and KAREN M. BEVENS (aka KAREN M. WRIGHT), knowingly transmitted and caused to be transmitted, by wire communication in interstate and foreign commerce, the following transmissions:

| COUNT | DATE | DEFENDANT | WIRE TRANSMISSION |
|-------|-------------------|---|---|
| 1 | April 7, 2010 | DARRYL LEE WRIGHT | A communication from the Social Security Administration originating in Baltimore, Maryland directing payment of \$13,105 in Social Security benefit funds to DARRYL LEE WRIGHT, which transmitted a wire and signal that traveled from Baltimore, Maryland to the Washington State Employees Credit Union in Olympia, Washington. |
| 2 | December 19, 2012 | DARRYL LEE WRIGHT and KAREN M. BEVENS (AKA KAREN M. WRIGHT) | A communication from the Social Security Administration originating in Baltimore, Maryland directing payment of \$1,979 in Social Security benefit funds to DARRYL LEE WRIGHT, which transmitted a wire and signal that traveled from Baltimore, Maryland to the Washington State Employees Credit Union in Olympia, Washington. |
| 3 | May 31, 2012 | DARRYL LEE WRIGHT and KAREN M. BEVENS (AKA KAREN M. WRIGHT) | A transmittal of funds payable under the Caretaker Support Program from the Department of Veterans Affairs to a bank account under the control of the defendants in the amount of \$10,836.54, which transmitted a wire and signal that traveled from Austin, Texas to Seattle, Washington. |
| 4 | January 16, 2013 | DARRYL LEE WRIGHT and KAREN M. BEVENS (AKA KAREN M. WRIGHT) | A communication from the Social Security Administration originating in Baltimore, Maryland directing payment of \$1,589.50 in Social Security benefit funds to DARRYL LEE WRIGHT, which transmitted a wire and signal that traveled from Baltimore, Maryland to the Washington State Employees Credit Union in Olympia, Washington. |

| | | | |
|---|------------------|----------------------|--|
| 5 | October 17, 2012 | DARRYL LEE WRIGHT | A wire communication from the Washington State Employment Security Department originating in Olympia, Washington, directing payment of \$5,440 in unemployment funds to USAA Federal Savings Bank in San Antonio, Texas. |
|---|------------------|----------------------|--|

All in violation of Title 18, United States Code, Section 1343.

**COUNTS SIX, SEVEN, EIGHT and NINE
(Mail Fraud)**

45. The factual allegations contained in paragraphs 1 through 42 are realleged and incorporated by reference as though fully set forth herein.

46. On or about the dates listed below, within the Western District of Washington, and elsewhere, for the purpose of executing or attempting to execute the above-described scheme to defraud the identified agencies, and for obtaining money from the identified agencies by means of false and fraudulent pretenses, representations, promises, and concealment of material facts, and attempting to do so, DARRYL LEE WRIGHT, and KAREN M. BEVENS (AKA KAREN M. WRIGHT) knowingly caused to be sent and delivered by the United States Postal Service and private or commercial interstate carrier, and did knowingly and willfully take and receive therefrom, according to the direction thereon, the following mail matter, with each mailing constituting a separate count of this Indictment:

| COUNT | DATE | SENDER | DEFENDANT | ITEM MAILED |
|-------|------------------|--|------------------|---|
| 6 | December 7, 2012 | Washington State Department of Social and Health Services | DARRYL WRIGHT | Notice acknowledging receipt of application for benefits and scheduling interview |

| | | | | |
|---|-------------------|---|--|--|
| 7 | September 6, 2012 | United States Office of Personnel Management | DARRYL LEE WRIGHT | Letter advising WRIGHT that based on his application, his claim for disability retirement benefits had been approved |
| 8 | October 14, 2011 | United States Department of Veterans Affairs | DARRYL LEE WRIGHT | Letter advising that WRIGHT's request for disability rating increase had been approved |
| 9 | April 25, 2014 | United States Department of Veterans Affairs | DARRYL LEE WRIGHT and KAREN M. BEVENS (aka KAREN M. WRIGHT)., | Letter advising that Wright's request for disability rating increase had been approved |

All in violation of Title 18, United States Code, Section 1341.

COUNT TEN
(Fraud and False Statements to the United States Army)

47. The factual allegations contained in paragraphs 1 through 42 are realleged and incorporated by reference as though fully set forth herein.

48. Beginning on or about September 5, 2005, and continuing to the present, in the Western District of Washington and elsewhere, DARRYL LEE WRIGHT, willfully and knowingly falsified, concealed, and covered up by trick, scheme, and device a material fact in a matter within the jurisdiction of the United States Army, by falsifying and exaggerating the events and consequences of a rocket attack in Iraq.

49. On or about September 5, 2005, DARRYL LEE WRIGHT submitted a written request to the Army to be awarded a Combat Action Badge, based on an event that occurred in Iraq on August 30, 2005. The event was a small explosion more than 90 meters from where he and other soldiers stood. In his written request, DARRYL LEE

1 | WRIGHT stated there was no damage to property, no casualties, and made no mention of
2 | sustaining injury or otherwise suffering any effects from the explosion.

3 | 50. Between September 5, 2005 and June 4, 2006, DARRYL LEE WRIGHT
4 | submitted additional information to the Army in a continued effort to be awarded a
5 | Combat Action Badge. This additional information included a second request for a
6 | Combat Action Badge, but this time he included a false narrative describing how he
7 | suffered physical injuries from a rocket attack. The additional narrative stated that, on
8 | August 30, 2005, DARRYL LEE WRIGHT was present at the Iraqi Army Compound,
9 | K1 Airfield, Iraq when the airfield came under an enemy rocket attack. DARRYL LEE
10 | WRIGHT stated the attack was by a 107mm Rocket, and that he was 96 meters away
11 | from the impact. DARRYL LEE WRIGHT falsely stated that he was, "violently thrown
12 | and knocked unconscious from the percussion of the rockets' impact." DARRYL LEE
13 | WRIGHT also falsely stated that, at the time of the explosions, "Rubble and debris from
14 | the impact showered the sky for scores of meters and rained down where the MiT Team
15 | Vehicles were parked and the security detail was located."

16 | 51. To further support his request for a Combat Action Badge, DARRYL LEE
17 | WRIGHT fraudulently attached a picture of a destroyed military vehicle that included a
18 | handwritten note stating "1st Lieutenant Wright's HMMWV after insurgent complex
19 | ambush in Kirkuk, Iraq (FOB Warrior) Summer 2005." In truth and fact, the military
20 | vehicle had nothing to do with the event DARRYL LEE WRIGHT now falsely claimed
21 | had caused him injury.

22 | 52. On or about June 13, 2006, after considering DARRYL LEE WRIGHT's
23 | second submission, the Army awarded him a Combat Action Badge.

24 | 53. On or about May 17, 2010, DARRYL LEE WRIGHT submitted a written
25 | request to the Army to be awarded a Purple Heart medal, based solely on his false claims
26 | that he was injured August 30, 2005, in Iraq in the same alleged rocket attack for which
27 | he was awarded the Combat Action Badge.
28 |

1 54. On or about March 28, 2011, the Army awarded DARRYL LEE WRIGHT
2 a Purple Heart based solely on the alleged injuries he purportedly incurred as a result of
3 the August 30, 2005 rocket attack in Iraq.

4 All in violation of Title 18, United States Code, Sections 1001 and 2.

5 **COUNT ELEVEN**
6 **(Department of Commerce False Statements)**

7 55. The factual allegations contained in paragraphs 1 through 42 are realleged
8 and incorporated by reference as though fully set forth herein.

9 56. Beginning at a time unknown, but no later than November 30, 2009, in the
10 Western District of Washington and elsewhere, DARRYL LEE WRIGHT, willfully and
11 knowingly falsified, concealed, and covered up by trick, scheme, and device, a material
12 fact in a matter within the jurisdiction of the United States Department of Commerce, by
13 creating, fabricating and presenting false orders from the Washington National Guard,
14 namely, while working as an Economic Development Specialist for the United States
15 Department of Commerce, Economic Development Administration, DARRYL LEE
16 WRIGHT fabricated and counterfeited Military Orders from the Washington National
17 Guard, which falsely stated that he was obligated and ordered for duty.

18 All in violation of Title 18, United States Code, Sections 1001 and 2.

19
20 **COUNT TWELVE**
21 **(Aggravated Identity Theft During Wire/Mail Fraud)**

22 57. The factual allegations contained in paragraphs 1 through 42 are realleged
23 and incorporated by reference as though fully set forth herein.

24 58. In and about October 2011, within the Western District of Washington, and
25 elsewhere, the defendant, DARRYL LEE WRIGHT, did knowingly use, without lawful
26 authority, a means of identification of another person during and in relation to the crimes
27 of wire fraud and mail fraud, in violation of Title 18, United States Code, Section 1341
28 and 1343, as set forth in Counts 3 and 8, to wit, DARRYL LEE WRIGHT used the names

1 of J.H.R., K.S., C.R., J.R., and S.P. on Forms VA 21-4138 (VA Buddy Statements),
2 along with their addresses and other identifying information, to support defendant's
3 fraudulent request for a disability rate increase and any other benefits from the
4 Department of Veterans Affairs.

5 All in violation of Title 18, United States Code, Section 1028A.

6 **COUNT THIRTEEN**
7 **(Aggravated Identity Theft In Connection With Mail Fraud)**

8 61. The factual allegations contained in paragraphs 1 through 42 are realleged
9 and incorporated by reference as though fully set forth herein.

10 62. In and about April 2014, within the Western District of Washington, and
11 elsewhere, the defendant, DARRYL LEE WRIGHT did knowingly use, without lawful
12 authority, a means of identification of another person during and in relation to the crime
13 of mail fraud, in violation of Title 18, United States Code, Section 1341, as set forth in
14 Count 9, to wit, DARRYL LEE WRIGHT used the name of J.H.R. on Form DA 2823
15 (Army Buddy Statement), along with addresses and other identifying information, to
16 support defendant DARRYL LEE WRIGHT's fraudulent request for benefits from the
17 Department of Veterans Affairs.

18 All in violation of Title 18, United States Code, Section 1028A.

19
20 **ALLEGATION OF FORFEITURE**

21 63. The allegations contained in Counts One through Nine of this Indictment
22 are hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures
23 to the United States pursuant to Title 18, United States Code, Section 981(a)(1)(E), and
24 Title 28, United States Code, Section 2461(c).

25 64. Upon conviction of the offenses for which they are charged in this
26 Indictment, Defendants DARRYL LEE WRIGHT and KAREN M. BEVENS (aka
27 KAREN M. WRIGHT), shall forfeit to the United States, pursuant to Title 18, United
28 States Code, Section 981(a)(1)(E) and Title 28, United States Code, Section 2461(c), any

1 property constituting, or derived from, proceeds obtained directly or indirectly, as the
2 result of the charged offense, and any property used or intended to be used to commit the
3 offense charged, including but not limited to: A sum of money representing the proceeds
4 obtained as a result of the charged offenses.

5 65. Substitute Assets. If any of the above-described forfeitable property, as a
6 result of any act or omission of the Defendants:

- 7 (1) cannot be located upon the exercise of due diligence;
- 8 (2) has been transferred or sold to, or disposed with, a third party;
- 9 (3) has been placed beyond the jurisdiction of the Court;
- 10 (4) has been substantially diminished in value; or
- 11 (5) has been commingled with other property which cannot be
12 subdivided without difficulty;

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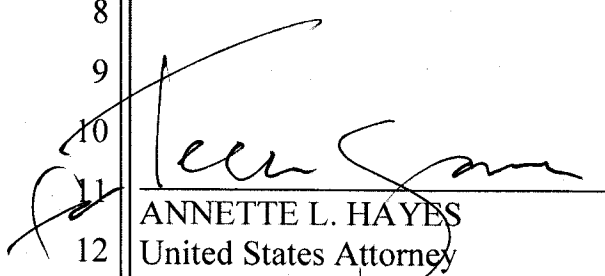
1 the United States of America shall be entitled to forfeiture of substitute property pursuant
2 to Title 21, United States Code, Section 853(p).
3


4 A TRUE BILL:

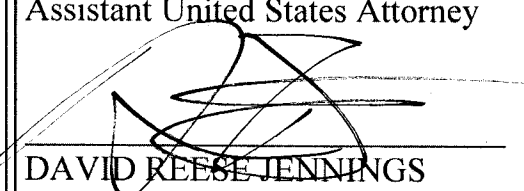
5 DATED: 9-16-2015

6 *(Signature of Foreperson redacted pursuant to*
7 *the policy of the Judicial Conference of the*
8 *United States)*

9 _____
10 FOREPERSON

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